

CHIEF JUSTICE CHASE.

TOWNSEND PRIZE ORATION.

If from the magnificent array of lawyers and statesmen, who have upborne this country in its hours of darkness and trial, we were to select the man preëminent in that service, because of his knowledge and faithful devotion to the laws of his country, because of his deep insight into the true meaning and purport of the Constitution, because of his clear apprehension of the spirit of liberty, that man would be Salmon Portland Chase.

From the time when, regardless of self-interest, he dared to defend a poor slave girl in the face of the great slave power, to the time when he graced the seat of the highest tribunal in our land, his career was one of strength, persistent in the right, undaunted by obstacles, unchangeable to the last. He was a man who dealt with principles. With the Constitution for his background, he was a central figure, and fought valiantly when men of his stamp and calibre were most needed. With nothing to start with but his natural talents, the day came in which he was called upon to direct the financial affairs of his country in the hour of sorest trial.

When Chief Justice Chase began the practice of law, the training of his New England boyhood stood him in good stead during the first years of obscurity and poverty. Gradually his attainments and perseverance were recognized. His fine person, his capacity for sustained labor, and his sincere convictions, inspired confidence. As to every rising young American of that time, the test question of the age came early to Mr. Chase. From the first he opposed slavery, though such action meant political and social ostracism. But thus early in life the character and consistency of his reasoning powers were revealed. He became convinced that slavery was not in accordance with the true spirit of the Constitution and that the whole pith and meaning of that instrument declared freedom to be national. His decision was not merely the result of sympathetic feeling, but of deep insight into the

workings of the slave power. He foresaw its future, and that its spirit was hostile to the liberties of the free States, and the principles on which our government rests. On this ground he defended whatever suits were brought to him, and though decision after decision went against him his spirit was undaunted. His arguments were examples of logic and oratory. One of the most famous was in the Van Zandt case. His conclusion shows almost a prophetic insight and furnishes a good illustration of his moral and mental qualities. He said: "Upon the questions involved in this case, which partake largely of a moral and political nature, the judgment of this court cannot be considered as altogether final. The decisions made here must necessarily be rejudged at the tribunal of public opinion, the opinion not of American people only, but of the civilized world. At home, as is well known, a growing disaffection to the Constitution prevails, founded on its supposed allowance and support of human slavery — abroad the national character suffers under the same reproach. I most earnestly hope that the judgment of your Honors in this case, may commend itself to the reason and conscience of mankind; that it may rescue the Constitution from the undeserved opprobrium of lending its sanction to the idea that there may be property in man; that it may gather around that venerable charter of Republican Government the renewed affection and confidence of a generous people, and that it may win for American institutions the warm admiration and profound homage of all who everywhere love liberty and revere justice."

But these weighty words fell on deafened ears. The decision was against him; but this young lawyer was educating the community, and the day came when the principles uttered by Mr. Chase in the Van Zandt case reverberated through the land. His powers as a leader were soon manifest; but according to all human ken there was no political future for him, for he was under a ban as respects the two great political parties of the land. And yet, by what appeared to be a combination of politics, but perhaps by a higher providence, Mr. Chase was elected to the United States Senate in 1849. It was not simply an event in his life, but an event in the history of the country, that at *such a time* the great State of Ohio should send an anti-slavery man, in the person of Mr. Chase, to represent her at Washington.

After Mr. Chase had been in the Senate about four years a bill was quietly introduced by Senator Douglas for the organization of territories in the Northwest. The bill was a simple one and seemed to contain no startling propositions. A few days there-

after, there appeared in the public prints an address to the American people. It was not long, nor impassioned in its style, but clear, forcible, and almost judicial in its tone. With master touches it exposed the far-reaching evil wrapped up in the bill of Senator Douglas. It asked the American people to cast their eyes over the broad area of the Northwest, stretching out to the Pacific coast, which the country had supposed was forever consecrated to freedom by the Missouri Compromise. This paper made known to the American people that by an act of unparalleled perfidy, it was proposed to open this vast territory, of which future States were to be formed, to all the wrongs of human bondage. That article was the work of Mr. Chase, and it is doubtful if any other man at this crisis could have put forth a document so cogent, so masterful, so convincing.

Yet amid all the excitement of this time Mr. Chase was always calm, steadfast, and judicious. His powerful mind seemed to grasp the constitutional side of the question, as well as the political and humane side, and this caused the plan of his campaign, and the quality of his opposition to differ from other anti-slavery leaders. He felt that if slavery was ever to be expelled it must be done under the Constitution. He worked always on these lines, continually placing all possible restrictions and limitations on slavery, on the ground that freedom was natural and slavery sectional. To the conservatism and prudence of such men as Lincoln and Chase is due the credit of having saved the Union from a lawless war, which would have left the country without a Constitution and bankrupt.

Twelve years after Mr. Chase entered the Senate, the principles advocated by him triumphed in the country, and Lincoln was elected President. This verdict brought the forces of freedom and slavery face to face, and war was inevitable. Mr. Chase was made Secretary of the Treasury, and responsibilities beyond conception were placed upon him. An army greater in numbers than Modern Europe had ever seen must be supported, and this too, amid the revolutions of business and disturbances of trade, but more than all else the breaking up of the whole system of cotton manufacture, by which the greatest State in the world was produced. These changes shook the financial basis of the civilized world. American bankers put new locks on their vaults, yet fresh fleets and armies appeared. There was no call for foreign money, while government stocks stood above all others in the market. England was perplexed, and Americans could not explain. But the truth was that we had a leader who united

the people to a man, and under whose guidance the vast resources of the country moved in unison to support its needs. Mr. Chase's career as Secretary of the Treasury justifies the confidence of his most ardent admirers. It was the success of a shrewd, powerful, organizing brain.

His financial scheme was to raise money within the borders of the United States. This led him, when the expenses of the war exceeded the specie of the country, to introduce the legal tender, paper currency. By making it a necessity for banking operations, he placed the whole banking capital of the United States in a position where it must live or die with the country. The extenuating circumstances of the case justified this step, and his whole management of the national finances was careful and sincere. What he accomplished was the result of a masterhand, working conscientiously for the welfare of the country. He was the bulwark of American finance, and he carried a young and unprepared nation through the most direful civil war in the history of man, and brought it forth, not beggared and crippled, but standing on a firmer financial basis than when he began his work.

The last great public office to which Mr. Chase was called was that of Chief Justice of the United States Supreme Court. Here again, his great mind showed its strength and breadth. He undertook the duties of his last office as naturally and gracefully as if he had spent a lifetime in preparing for the position. His record as Chief Justice will long be remembered. The court was flooded with cases involving the most subtle distinctions arising out of the war and touching the Constitution. His dissenting opinion in the legal tender cases is in itself the best answer that could possibly be given to those who criticise his position as opposed to what he advocated as Secretary of the Treasury. His strength of will and magnetism in making others respect what he himself respected, was shown during the impeachment of President Johnson. Those men who wished a puppet in the place of a presiding officer, were surprised and confounded by the dignified bearing and impartial attitude of Chief Justice Chase, who conducted the trial as the Constitution directed. No mad party zeal could make him swerve from the course he believed was right. No dictation from party leaders could bend his firm purpose. For true nobleness of soul and greatness of character, he had no superior, while in the learning of his profession he was second to none. His vision was clear and far reaching, and no matter how well formed were his own opinions, he never lost sight of the respect due to those who did not see the subject in the same light. His dignity and cour-

tesy ; his unwavering courage and resolute impartiality, and the judicial qualities of his mind have given him an imperishable name among the best and ablest of American judges. Like all strong men who know their strength, he was ambitious, but that ambition was curbed by the most candid self-examination. Throughout his public life his prayer was—"God enable me to be content with the consciousness of faithfully performing my duties, and deliver me from a too eager thirst for the applause and favor of men."

Harmon Sheldon Graves.